

STATE OF WISCONSIN
Senate Journal
Eighty-Sixth Regular Session

TUESDAY, May 24, 1983

10:00 A.M.

The senate met.

The senate was called to order by Fred A. Risser, president of the senate.

The roll was called and the following senators answered to their names:

Present -- Senators Adelman, Chilsen, Cullen, Czarnezki, Davis, Ellis, Engeleiter, Feingold, George, Hanaway, Harsdorf, Johnston, Kincaid, Kleczka, Kreul, Lasee, Lee, Lorge, Lorman, McCallum, Maurer, Moen, Norquist, Offner, Otte, Risser, Roshell, Strohl, Theno, Thompson and Van Sistine -- 31.

Absent -- Senators Bablitch and Opitz -- 2.

Absent with leave -- None.

The senate stood for the prayer which was offered by Reverend David Herwaldt of Faith Baptist Church, Madison.

The senate remained standing and Senator Lasee led the senate in the pledge of allegiance to the flag of the United States of America.

LEAVE OF ABSENCE

By request of Senator Harsdorf, with unanimous consent, Senator Opitz was granted a leave of absence for today's session.

By request of Senator Cullen, with unanimous consent, Senator Bablitch was granted a leave of absence for today's session.

INTRODUCTION OF RESOLUTIONS

Senate Joint Resolution 30

Relating to decennial redistricting of the congressional and legislative districts in this state by a 5-member citizen committee (first consideration).

By Senators Johnston and Lorman; cosponsored by Representatives Radtke, Williams, Manske and Merkt.

Read first time and referred to committee on Urban Affairs and Government Operations.

Senate Joint Resolution 31

Relating to setting consecutive term limits for various elective state offices (first consideration).

By Senators Johnston, Lee and Bablitch; cosponsored by Representatives Jaronitzky and Coleman.

Read first time and referred to committee on Urban Affairs and Government Operations.

INTRODUCTION OF BILLS

Read first time and referred:

Senate Bill 282

Relating to requiring congressional districts to be politically competitive.

By Senator Johnston.

To committee on Urban Affairs and Government Operations.

Senate Bill 283

An act to authorize and direct expenditure of \$19,991 from the general fund for payment of a claim against the state made by Thomas Hruza.

By Senator Moen, by request of Thomas Hruza.

To joint committee on Finance.

Senate Bill 284

Relating to direct legislation in villages.

By Senator Opitz; cosponsored by Representatives Stitt and Luckhardt.

To committee on Urban Affairs and Government Operations.

Senate Bill 285

Relating to collective bargaining units consisting of supervisors, making an appropriation and providing a penalty.

By Senators Kleczka, Czarnezki, Van Sistine, Thompson, Risser, Otte and Kincaid; cosponsored by Representatives M. Coggs, Meaux, Andrea, Plewa, S. Coggs, Bell and Looby.

To committee on Labor, Business, Veterans Affairs and Insurance.

Senate Bill 286

Relating to petitioning to change the name of a child.

By Senator Cullen, by request of Jack C. Hoag of Janesville.

To committee on Judiciary and Consumer Affairs.

Senate Bill 287

Relating to eligibility to attend a vocational, technical and adult education school located outside the district of residence.

By Senator Cullen; cosponsored by Representatives Moyer, M. Coggs, Donoghue, Wood, Bolle, Jaronitzky, Stower, Gilson, Becker, Plous, Prosser and Panzer.

To committee on Higher Education and Economic Development.

Senate Bill 288

Relating to eligibility for unemployment compensation benefits upon voluntary termination for good cause attributable to an employer.

By Senators Otte and Norquist; cosponsored by Representative Crawford.

To committee on Labor, Business, Veterans Affairs and Insurance.

By request of Wisconsin Insurance Alliance.

Introduction:

Ayes, 6 -- Senators Van Sistine, Roshell, Otte, Thompson, Chilsen and Engeleiter;

Noes, 0 -- None.

Read first time and referred to committee on Labor, Business, Veterans Affairs and Insurance.

JEROME VAN SISTINE

Chair

The committee on Senate Organization reports and recommends the following nominations to committees for appointment by the senate:

Senator Thompson replaces Senator Otte and Senator Engeleiter replaces Senator Johnston on the committee on Aging and Financial Institutions and State Institutions.

Senator Otte replaces Senator Adelman on the committee on Labor, Business, Veterans Affairs and Insurance.

Senators Adelman, Feingold, Hanaway and Johnston to the committee on Higher Education and Economic Development.

Senators Van Sistine and Chilsen to the committee on Tourism and Revenue.

TIMOTHY F. CULLEN

Chair

COMMITTEE REPORTS

The committee on Senate Organization reports and recommends for introduction:

Senate Resolution 11

Relating to the committee on aging, financial institutions and state institutions and the committee on agriculture and rural affairs.

Introduction:

Ayes, 5 -- Senators Cullen, Risser, Bablitch, Offner and Harsdorf;

Noes, 0 -- None.

Read and referred to committee on Senate Organization.

TIMOTHY F. CULLEN

Chair

The committee on Labor, Business, Veterans Affairs and Insurance reports and recommends:

PODEWILS, WILLIAM, of Hales Corners, to the Savings and Loan Review Board, to serve a term to expire May 1, 1987.

Confirmation:

Ayes, 6 -- Senators Van Sistine, Roshell, Otte, Thompson, Chilsen and Engeleiter;

Noes, 0 -- None.

Senate Bill 230

Relating to creating a committee on volunteerism.

Passage:

Ayes, 6 -- Senators Van Sistine, Roshell, Otte, Thompson, Chilsen and Engeleiter;

Noes, 0 -- None.

and recommends for introduction:

Senate Bill 289

Relating to timely payment of insurance claims.

By request of Wisconsin Insurance Alliance.

Introduction:

Ayes, 6 -- Senators Van Sistine, Roshell, Otte, Thompson, Chilsen and Engeleiter;

Noes, 0 -- None.

Read first time and referred to committee on Labor, Business, Veterans Affairs and Insurance.

Senate Bill 290

Relating to regulation of insurance consultants and required disclosure by insurance intermediaries.

Read.

Considered as privileged and taken up.

Adopted.

The committee on Senate Organization reports and recommends:

Assembly Joint Resolution 50

Relating to the life and public service of Clement Stachowiak.

Concurrence:

Ayes, 5 -- Senators Cullen, Risser, Bablitch, Offner and Harsdorf;

Noes, 0 -- None.

TIMOTHY F. CULLEN

Chair

The committee on Urban Affairs and Government Operations reports and recommends:

Senate Bill 259

Relating to executing and registering municipal obligations.

Passage:

Ayes, 4 -- Senators Lee, Van Sistine, Strohl and Johnston;

Noes, 0 -- None.

MORDECAI LEE

Chair

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So the appointments were confirmed.

EXECUTIVE COMMUNICATIONS

State of Wisconsin
Office of the Governor

May 19, 1983

To the Honorable the Senate:

I would like to correct my letter of April 11, 1983 regarding the appointment of Mary Beth Arnett to the Optometry Examining Board. The term for her appointment expires on July 1, 1986 rather than May 1, 1986. Please accept my apologies for any inconvenience this may have caused.

Sincerely,
ANTHONY S. EARL
Governor

CALENDAR OF MAY 24

By request of Senator Cullen, with unanimous consent, the appointments were considered enmasse.

AHLSTROM, DR. R.W., of Tomah, as a member of the Optometry Examining Board, to serve for the term ending July 1, 1986.
Read.

ARNETT, MARY BETH, of Madison, as a member of the Optometry Examining Board, to serve for the term ending May 1, 1986.
Read.

EMBRY, WAYNE, of Milwaukee, as a member of the Medical College of Wisconsin Board of Trustees, to serve for the term ending May 1, 1986.
Read.

LAIRD, STEWART W., of La Crosse to the Wisconsin Health Facilities Authority to serve a term to expire July 1, 1989.
Read.

LERMAN, PHILIP E., of Milwaukee, as a member of the Medical College of Wisconsin Board of Trustees, to serve for the term ending May 1, 1989.
Read.

The question was: Shall the appointments be confirmed?

The ayes and noes were required and the vote was: ayes, 31; noes, 0; absent or not voting, 2; as follows:

Ayes -- Senators Adelman, Chilsen, Cullen, Czarnecki, Davis, Ellis, Engeleiter, Feingold, George, Hanaway, Harsdorf, Johnston, Kincaid, Kleczka, Kreul, Lasee, Lee, Lorge, Lorman, McCallum, Maurer, Moen, Norquist, Offner, Otte, Risser, Roshell, Strohl, Theno, Thompson and Van Sistine -- 31.

Noes -- None.

Absent or not voting -- Senators Bablitch and Opitz --

2.

SENATE CLEARINGHOUSE ORDERS

Joseph Strohl
State Senator

May 19, 1983

To the Honorable, the Senate:

This is to inform you that my May 16, 1983, memorandum regarding actions on administrative rules by the Senate Energy and Environmental Resources committee contained an error.

We mistakenly included Clearinghouse Rule 83-52 on the list of rules on which no action was taken. Indeed, as my letter to PSC Chair Ness Flores of May 6, 1983, indicated, we have extended the committee jurisdiction for 30 days.

Sincerely,
JOE STROHL
State Senator

Clearinghouse Rule 82-200

AN ORDER to repeal RL 12.02 (3); to renumber RL 12.02 (2); and to create RL 12.02 (2) (b), relating to trustworthiness of real estate applicants and applicants for licensure who are licensed in other states.

Submitted by Department of Regulation and Licensing.

Report received from agency, May 20, 1983.

Read and referred to committee on Urban Affairs and Government Operations, May 24, 1983.

Clearinghouse Rule 83-23

AN ORDER to repeal and recreate ILHR 45, relating to mechanical refrigeration.

Submitted by Department of Industry, Labor and Human Relations.

Report received from agency, May 23, 1983.

Read and referred to committee on Labor, Business, Veterans Affairs and Insurance, May 24, 1983.

Clearinghouse Rule 83-42

AN ORDER to create Bkg 3.05; to amend Bkg 4.01 (1), 10.05, 10.06, 10.07, 11.05, 11.09, 73.01 (1), 74.11 (1), 77.05, 77.06, 77.07, 77.10, 80.221, 80.241, 80.29, 80.301, 80.66 and 80.68; and to repeal Bkg 80.210, 80.231, 80.24, 80.261 and 80.27, relating to leasing of personal property, deposits in other banks, procedures before the banking review board, procedures before the commissioner of banking, adjustment service companies, collection agencies, procedures before the consumer credit review board, the Wisconsin consumer act and delinquency charges.

Submitted by Office of the Commissioner of Banking.

Report received from agency, May 19, 1983.

Read and referred to committee on Aging, Financial Institutions and State Institutions, May 24, 1983.

MESSAGE FROM THE ASSEMBLY

By Joanne M. Duren, chief clerk.

Mr. President:

I am directed to inform you that the assembly has passed and asks concurrence in:

Assembly Bill 9
Assembly Bill 124
Assembly Bill 125
Assembly Bill 126
Assembly Bill 129
Assembly Bill 206
Assembly Bill 232
Assembly Bill 286
Assembly Bill 402

Adopted and asks concurrence in:

Assembly Joint Resolution 11
Assembly Joint Resolution 54

Concurred in:

Senate Bill 63

MESSAGE FROM THE ASSEMBLY
CONSIDERED

Assembly Bill 9

Relating to regulation of fishing rafts, granting rule-making authority and providing penalties.

By Representative Byers.

Read first time and referred to committee on Energy and Environmental Resources.

Assembly Bill 124

Relating to court costs in municipal court actions.

By Representatives Rutkowski and Nelsen, co-sponsored by Senators Van Sistine and Johnston, by request of League of Wisconsin Municipalities.

Read first time and referred to committee on Judiciary and Consumer Affairs.

Assembly Bill 125

Relating to bail schedules and guidelines.

By Representative Rooney, by request of Racine County District Attorney Gerald Ptacek and J. Denis Moran, Director of State Courts.

Read first time and referred to committee on Judiciary and Consumer Affairs.

Assembly Bill 126

Relating to waiver of notice in probate procedures.

By Representatives T. Thompson, Stitt, Hauke, Swoboda, Prosser, Crawford, Wimmer, Panzer and Rooney, co-sponsored by Senators Engeleiter and Hanaway.

Read first time and referred to committee on Judiciary and Consumer Affairs.

Assembly Bill 129

Relating to motor-driven cycle parking.

By Representatives Meaux, Williams, Becker, Czarnecki, S. Coggs, Kunicki and Plous, by request of city of Milwaukee.

Read first time and referred to committee on Transportation.

Assembly Bill 206

Relating to parole eligibility.

By Representatives D. Travis, Plous, Prosser, Kunicki and Goetsch, co-sponsored by Senators Norquist, Hanaway and Maurer.

Read first time and referred to committee on Judiciary and Consumer Affairs.

Assembly Bill 232

Relating to county treasurer fees.

By Representatives Helbach, Matty, Potter, Moyer, Robinson, Rude, Jauch, Williams, Walling, Stower, Smith, Shoemaker, Goetsch, Manske, Vanderperren and Jaronitzky, co-sponsored by Senators Offner, Otte, Theno, Moen, Chilsen, Van Sistine and Hanaway.

Read first time and referred to committee on Urban Affairs and Government Operations.

Assembly Bill 286

Relating to wine menus.

By Representative Hephner.

Read first time and referred to committee on Labor, Business, Veterans Affairs and Insurance.

Assembly Bill 402

Relating to increasing the number of members on the council on blindness.

By Representative Kunicki.

Read first time and referred to committee on Health, Education, Corrections and Human Services.

Assembly Joint Resolution 11

Memorializing congress to oppose "privatization" proposals to sell federal land, particularly national forest land, in Wisconsin.

By Representatives Czarnecki, Neubauer, Seery, Manske, Gilson, D. Travis, Gronemus, Williams, Rutkowski, Bell, Holperin, Sell, Crawford, S. Coggs and Kasten, co-sponsored by Senators Strohl and Lee.

Read and referred to committee on Energy and Environmental Resources.

Assembly Joint Resolution 54

Relating to the life and public service of Mary Lou Burg.

By Representatives Tesmer and Loftus, co-sponsored by Senator Kleczka.

Read and referred to committee on Senate Organization.

CALENDAR OF MAY 24

Senate Joint Resolution 19

Relating to United States leadership in the creation of a world free of the threat of nuclear weapons.

Read.

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The question was: Adoption of senate substitute amendment 1?

Adopted.

Senate amendment 1 to senate substitute amendment 1 offered by Senator Harsdorf.

The question was: Adoption of senate amendment 1 to senate substitute amendment 1?

Senator Otte moved rejection of senate amendment 1 to senate substitute amendment 1.

The question was: Rejection of senate amendment 1 to senate substitute amendment 1?

The ayes and noes were demanded and the vote was: ayes, 22; noes, 9; absent or not voting, 2; as follows:

Ayes -- Senators Adelman, Chilsen, Cullen, Czarnezki, Engeleiter, Feingold, George, Johnston, Kincaid, Kleczka, Lee, Lorge, Maurer, Moen, Norquist, Offner, Otte, Risser, Roshell, Strohl, Thompson and Van Sistine -- 22.

Noes -- Senators Davis, Ellis, Hanaway, Harsdorf, Kreul, Lasee, Lorman, McCallum and Theno -- 9.

Absent or not voting -- Senators Bablitch and Opitz -- 2.

So the motion prevailed.

Senate amendment 2 to senate substitute amendment 1 offered by Senator Engeleiter.

The question was: Adoption of senate amendment 2 to senate substitute amendment 1?

Adopted.

The question was: Adoption of **Senate Joint Resolution 19**?

Senate amendment 3 to senate substitute amendment 1 offered by Senator Johnston.

The question was: Adoption of senate amendment 3 to senate substitute amendment 1?

Senator Otte moved rejection of senate amendment 3 to senate substitute amendment 1.

The question was: Rejection of senate amendment 3 to senate substitute amendment 1?

The ayes and noes were demanded and the vote was: ayes, 18; noes, 13; absent or not voting, 2; as follows:

Ayes -- Senators Adelman, Cullen, Czarnezki, Feingold, George, Kincaid, Kleczka, Lee, Lorge, Maurer, Norquist, Offner, Otte, Risser, Roshell, Strohl, Thompson and Van Sistine -- 18.

Noes -- Senators Chilsen, Davis, Ellis, Engeleiter, Hanaway, Harsdorf, Johnston, Kreul, Lasee, Lorman, McCallum, Moen and Theno -- 13.

Absent or not voting -- Senators Bablitch and Opitz -- 2.

So the motion prevailed.

The question was: Adoption of **Senate Joint Resolution 19**?

Adopted.

Assembly Joint Resolution 50

Relating to the life and public service of Clement Stachowiak.

Read.

By request of Senator Kleczka, with unanimous consent, he was made a co-author of **Assembly Joint Resolution 50**.

The question was: Concurrence of **Assembly Joint Resolution 50**?

Concurred in by unanimous rising vote.

By request of Senator Cullen, with unanimous consent, the Senate returned to the third order of business.

INTRODUCTION OF BILLS

Read first time and referred:

Senate Bill 291

Relating to an exemption from the real estate transfer fee.

By Senators Chilsen, Kincaid, Harsdorf, Hanaway, Lasee, Engeleiter, Lorman, Lorge, Kreul and McCallum; cosponsored by Representatives Panzer, Larson, Donoghue, Luckhardt, Zeuske, Robinson, Porter, Goetsch, Huelsman, Schultz, Buettner, Quackenbush, T. Thompson, Goodrich, R. Travis, Moyer, Coleman, Schneiders and Kasten.

To Joint Survey committee on Tax Exemptions.

Senate Bill 292

Relating to municipal industrial site development.

By Senator Chilsen; cosponsored by Representative Larson.

To committee on Labor, Business, Veterans Affairs and Insurance.

By request of Senator Cullen, with unanimous consent, all action was ordered immediately messaged.

AMENDMENTS OFFERED

Senate substitute amendment 2 to **Senate Bill 79** by Senators Engeleiter, Norquist and Davis.

Upon motion of Senator Cullen the senate adjourned until 10:00 A.M. Thursday, May 26.

10:56 A.M.

CHIEF CLERK'S CORRECTION

Suggested by Legislative Reference Bureau

Senate Bill 118, substitute amendment 2

1. Page 1, line 2: after "1." insert: "Page 1, line 5:
after "(1)(e) insert "and (3)".

Im."